



Attorney Docket No. 0312781700
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of:)
MONTGOMERY et al.)
Application No.: 09/651,170) Examiner: Shep K. ROSE
Filed: August 30, 2000) Group Art Unit: 1614
For: LIGHT ACTIVATED TOOTH)
WHITENING COMPOSITION)
AND METHOD OF USING SAME)

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached Form PTO/SB/08A. Copies of the listed documents are enclosed herewith.

This Information Disclosure Statement is being submitted after the mailing date of the first office action on the merits. Accordingly, a check in the amount of \$180.00 is enclosed.

Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration of relevant portions thereof by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each of all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee in connection with the filing of this statement, please charge the fee to our Deposit Account No. 13-0019.

Respectfully submitted,

Christine M. Rebman
Christine M. Rebman
Reg. No. 50,546

Date: September 17, 2003

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PTO/SB/08A (08-03)

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of

2

Complete if Known

Application Number	09/651,170
Filing Date	August 30, 2000
First Named Inventor	R. Eric MONTGOMERY
Art Unit	1614
Examiner Name	Shep K. ROSE

Attorney Docket Number 03127817

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
1	US- 2001/0021374 A1		09/13/2001	Montgomery	
2	US- 2002/0141951 A1		10/03/2002	Montgomery	
3	US- 2002/0131937 A1		09/19/2002	Montgomery	
4	US- 2002/0137728 A1		09/26/2002	Montgomery	
5	US- 2003/0089886 A1		05/15/2003	Montgomery	
6	US- 5,738,843		04/14/1998	Montgomery	
7	US- 5,816,802		10/06/1998	Montgomery	
8	US- 5,908,614		06/01/1999	Montgomery	
9	US- 5,922,307		07/13/1999	Montgomery	
10	US- 5,944,528		08/31/1999	Montgomery	
11	US- 6,162,055		12/19/2000	Montgomery et al.	
12	US- 6,221,341 B1		04/24/2001	Montgomery	
13	US- 6,281,265 B1		08/28/2001	Montgomery et al.	
14	US- 6,312,670 B1		11/06/2001	Montgomery	
15	US- 6,322,773 B1		11/27/2001	Montgomery	
16	US- 6,331,292 B1		12/18/2001	Montgomery	
17	US- 6,343,933 B1		02/05/2002	Montgomery et al.	
18	US- 6,475,469 B1		11/05/2002	Montgomery	
19	US- 6,479,037 B1		11/12/2002	Montgomery	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

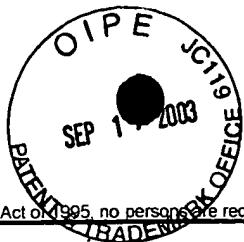
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Sheet 2

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		Country Code ³ "Number ⁴ "Kind Code ⁵ (if known)				
	24	WO 99/40870 A1	08/19/1999	Britesmile, Inc		
	25	WO 01/51005 A2	07/19/2001	Britesmile, Inc		

Examiner Signature		Date Considered	
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